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LA BELLA & McNAMARA LLP  
 ANDREW W. ROBERTSON (SBN: 062541)  
 401 West "A" Street, Suite 1150  
 San Diego, California 92101  
 Phone: (619) 696-9200  
 Fax: (619) 696-9269

Attorneys for Receiver  
 THOMAS W. McNAMARA

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE  
 COMMISSION,

Plaintiff,

v,

MILLENNIUM FINANCIAL, LTD.,

Defendant,

NEWPONT FIDUCIARIES AND  
 NOMINEES, S.A.,

Relief Defendant.

Case No. 02 Civ. 3901 (LAP)

**SIXTH INTERIM APPLICATION OF  
 RECEIVER FOR PAYMENT OF FEES  
 AND EXPENSES**

**RECEIVED**

APR - 8 2009

LOREITA A. PRESKA  
 U.S. DISTRICT JUDGE  
 S. D. N. Y.

Thomas W. McNamara, as Receiver, hereby applies to the Court for approval to pay invoices for fees and expenses of the Receiver and his counsel for the eight-month period July 1, 2008 through February 28, 2009.

**I. Procedural Background**

The Receiver was appointed by an "Order Appointing Receiver" filed December 6, 2002. Paragraph I(C) of the Receiver Order expressly empowers the Receiver to "engage and employ persons, in the Receiver's discretion, to assist in carrying out the duties and responsibilities imposed hereunder, including accountants, attorneys, securities traders, investment advisers, and other experts."

Paragraph IV of the Receiver Order provides that the reasonable fees and costs of the Receiver and all persons engaged or employed by the Receiver shall be paid from Millennium funds. Paragraph IV further provides that "...all applications for costs, fees and expenses of the Receiver and those employed by the Receiver shall be made by application to the Court, served upon counsel for the Commission, setting forth in reasonable detail the nature of such costs, fees, and expenses."

This Sixth Interim Application for Fees and Expenses is made pursuant to Paragraphs I and IV of the Receiver Order.

## **II. Current Fees and Expenses of Receiver and Counsel**

The Receiver now applies for approval of fees and expenses for the eight-month period July 1, 2008 through February 28, 2009 as follows:

\$2,787.10 to the Receiver (\$2,615.80 fees; \$171.30 costs)

\$25,417.22 to Receiver's counsel La Bella & McNamara,  
(\$24,663.60 fees; \$753.62 costs)

\$5,000 to Receiver's local counsel in Nevis, Gonsalves Hamel-Smith

Total: \$33,204.32

The fees and expenses and the invoices relating to them are detailed and reviewed in the Declaration of Receiver Thomas W. McNamara filed with this Application.

## **III: Conclusion**

The Receiver respectfully requests the Court's approval to pay the submitted invoices.

Dated: April 7, 2009

LA BELLA & MCNAMARA, LLP

By: 

ANDREW W. ROBERTSON  
Attorneys for Receiver,  
Thomas W. McNamara

*Granted*  
*So ordered*  
*Loretta A. Presley*  
*USDC*

*April 7, 2009*